

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**Criminal No. 15CR4276 MCA**

**MATTHEW MARTINEZ**

**Defendant.**

**MOTION TO CONTINUE TRIAL SET ON FEBRUARY 8, 2016**

**COMES NOW** Defendant Matthew Martinez and moves this Court to Continue the Trial set on February 8, 2016, as grounds thereof states:

1. A Grand Jury Indictment was filed on December 1, 2015, which charged Defendant Matthew Martinez in Counts I, II, and III with distribution of a controlled substance, to wit: a mixture and substance containing a detectable amount of heroin. Allegations for forfeiture were filed in addition to the substantive counts.
2. The arraignment for the indictment held on December 8, 2016.
3. Discovery has been provided incrementally on December 16, 2015, January 4, 2016, January 12, 2016 and January 21, 2016.
4. Independent investigation by the Defendant may be necessary.
5. An offer by the Defendant was forwarded to the Office of the U.S. Attorney, Shana Long. A response has not been received.
6. Additional time is necessary to complete the investigation, and to negotiate a possible resolution.

7. The Office of the U.S. Attorney, through, Shana Long, does not oppose this motion
8. Pursuant to 18 U.S.C. §3161(h)(7)(B), the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendant in a speedy trial.

**WHEREFORE** the Defendant prays the Court to Continue the Trial set for February 8, 2016 to the Courts next trial calendar.

Respectfully submitted,

Electronically filed January 25, 2016  
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**Certificate of Service**

**I HEREBY CERTIFY** that on the 25<sup>th</sup> day of January 2016, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more reflected on the Notice of Electronic Filing:

AUSA Shana Long

/S/Angela Arellanes

Angela Arellanes